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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,312	04/12/2004	Shawn Patrick Henning	60001.0304US01/MS305385.1	2575

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EXAMINER
BOTTS, MICHAEL K

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	**Applicant(s)**
Office Action Summary		10/822,312	HENNING ET AL.
		Examiner	**Art Unit**	
		Michael K. Botts	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 April 2004*.
2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-24* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This document is the first Office Action on the merits. This action is responsive

to the following communications: The Non-Provisional Application, which was filed on

April 12, 2004.

2.   Claims 1-24 have been examined, with claims 1,12, and 18 being the

independent claims.

3.   Claims 1-24 are rejected.

The Specification

4.   Applicant is required to update the status (pending, allowed, etc.) of all parent

priority applications in the first line of the specification. The status of all citations of U.S.

filed applications in the specification should also be updated where appropriate.

5.   The lengthy specification has not been checked to the extent necessary to

determine the presence of all possible minor errors. Applicant's cooperation is

requested in correcting any errors of which applicant may become aware in the

specification.

Claims Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   **Claims 1-4 and 7-24** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Astiz, et al. (U.S. Patent 6,035,330, issued March 7, 2000) [hereinafter "Astiz"].

Regarding **independent claim 1**, Astiz teaches:

A method for tracking and diagramming navigated portions of a web site, comprising:

receiving a selected web site;

automatically parsing the selected web site for any web links subordinate to the selected web site not requiring user interaction;

mapping the selected web site and any parsed web links to a web diagram data structure;

selecting a first web link from the parsed web links as a starting point for browsing a path through the selected web site;

mapping the first web link to the web diagram data structure; and

creating and displaying a web diagram from the web diagram data structure showing a diagram node for the selected web site, for each of the any parsed web links subordinate to the selected web site not requiring user interaction, and for the selected first web link.

(See, Astiz, figures 1-11, and col. 1, line 1 through col. 18. line 7, specifically see, col. 11, line 26 through col. 13,lline 12, teaching automatically parsing a web site for subordinate web links, mapping, browsing and displaying a web diagram (map).)

Regarding **dependent claim 2**, Astiz teaches:

> *The method of claim 1, further comprising:*
>
> *in response to selecting the first web link, launching a web browser control for displaying a web page representing the selected first web link and for browsing any links subordinate to the selected first web link;*
>
> *browsing to a web link level subordinate to a level of the selected first web link;*
>
> *selecting a second web link from the web link level subordinate to the level of the selected first web link;*
>
> *mapping the second web link to the web diagram data structure; and*
>
> *whereby creating and displaying a web diagram from the web diagram data structure, further comprises creating and displaying a web diagram from the web diagram data structure showing a diagram node for the selected web site, for each of the any parsed web links subordinate to the selected web site not requiring user interaction, for the selected first web link, and for the selected second web link.*

(See, Astiz, col. 12, line 62 through col. 13, line 12, teaching mapping and navigating subordinate web sites.)

Regarding **dependent claim 3**, Astiz teaches:

> *The method of claim 1, whereby receiving the selected web site includes*
>
> *receiving an address for the selected web site at a web diagramming application.*

(See, Astiz, figures 4-11, and col. 7, line 9 through col. 18, line 7, specifically, figure 10

and col. 11, line 59 through col. 12, line 14, teaching receiving an address for a selected

web site at a web diagramming (mapping) application.)

Regarding **dependent claim 4**, Astiz teaches:

> *The method of claim 1, further comprising during automatically parsing the*
>
> *web site for any web links subordinate to the web site, identifying for*
>
> *diagramming any subordinate links that may be automatically browsed without*
>
> *user interaction or data input.*

(See, Astiz, figure 10, and col. 12, lines 15-36, teaching parsing the web side for

subordinate web links and diagramming the subordinate links.)

Regarding **dependent claim 7**, Astiz teaches:

> *The method of claim 1, after mapping the web site address and any*
>
> *parsed web links to a web diagram data structure, diagramming the web site*
>
> *address and the any parsed web links to a displayed web diagram.*

(See, Astiz, figures 6-11, and col. 8,lines 57-67, teaching displaying the parse web links

in a diagram.)

Regarding **dependent claim 8**, Astiz teaches:

> *The method of claim 7, whereby selecting a first web link from the any parsed web links as a starting point for browsing a path through the web site includes selecting a first web link from the displayed web diagram.*

(See, Astiz, col. 10, line 50 through col. 11, line 3, teaching access to any identified web page directly from the displayed map.)

Regarding **dependent claim 9**, Astiz teaches:

> *The method of claim 8, further comprising automatically mapping any web links contained on a web link level subordinate to a web link level containing the selected first web link to the web diagram data structure.*

(See, Astiz, col. 12, lines 15-36, teaching automatic mapping of subordinate (child) web page.)

Regarding **dependent claim 10**, Astiz teaches:

> *The method of claim 9, prior to automatically mapping any web link contained on a web link level subordinate to a web link level containing the selected first web link to the web diagram data structure, further comprising selecting an expanded mapping for any web links found in response to selecting the first web link.*

(See, Astiz, col. 11, line 59 through col. 13, line 12, teaching expanding the mapping for

web links found in response to selecting the first web link.)

Regarding **dependent claim 11**, Astiz teaches:

> *The method of claim 10, whereby creating and displaying a web diagram*
>
> *from the web diagram data structure further comprises creating and displaying a*
>
> *web diagram from the web diagram data structure showing a diagram node for*
>
> *the selected web site, for each of the any parsed web links subordinate to the*
>
> *selected web site not requiring user interaction, for the selected first web link,*
>
> *and for each of the any web links contained on a web link level subordinate to a*
>
> *web link level containing the selected first web link to the web diagram data*
>
> *structure.*

(See, Astiz, figure 6, and col. 11, line 59 through col. 13, line 12, teaching displaying the

web diagram as specified.)

Regarding **independent claim 12**, Astiz teaches:

> *A method for tracking and diagramming navigated portions of a web site,*
>
> *comprising:*
>
> *displaying a diagram of a structure of a selected web site, the diagram*
>
> *including diagram nodes for the selected web site and for any web links*
>
> *associated with the selected web site that may be navigated without user*
>
> *interaction;*

selecting a first web link from the diagram as a starting point for browsing a path through the selected web site;

mapping the selected first web link to a web diagram data structure; and

automatically updating the diagram to add a diagram node for the selected first web link whereby the diagram node for the selected first web link is added to the diagram in a position illustrating a relationship of the selected first web link to other nodes in the diagram.

(See, Astiz, figure 4-11, and col. 7, line 9 through col. 18, line 7, specifically, figure 10 and col. 11, line 59 through col. 12, line 14, teaching mapping and updating the map.)

Regarding **dependent claim 13**, Astiz teaches:

The method of claim 12, further comprising:

in response to selecting the first web link, launching a web browser control for displaying a web page representing the selected first web link and for browsing any links from the selected web site associated with the selected first web link;

browsing to a second web link from the displayed web page;

mapping the second web link to the web diagram data structure; and

automatically updating the diagram to add a diagram node for the second web link whereby the diagram node for the second web link is added to the diagram in a position illustrating a relationship of the second web link to other nodes in the diagram.

(See, Astiz, col. 12, line 62 through col. 13, line 12, teaching mapping and navigating
subordinate web sites.)

Regarding **dependent claim 14**, Astiz teaches:

> *The method of claim 13, whereby browsing to a second web link from the*
>
> *displayed web page requires user interaction with the web browser control for*
>
> *browsing to the second web link.*

(See, Astiz, col. 12, lines 15-36, teaching user interaction to browse to a second link.)

Regarding **dependent claim 15**, Astiz teaches:

> *The method of claim 13, further comprising automatically mapping to the*
>
> *web diagram data structure any web links found in response to browsing to the*
>
> *second web link from the displayed web page.*

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to
a second link and automatically mapping.)

Regarding **dependent claim 16**, Astiz teaches:

> *The method of claim 15, prior to automatically mapping to the web*
>
> *diagram data structure any web links found in response to browsing to the*
>
> *second web link from the displayed web page, further comprising selecting an*
>
> *expanded mapping for any web links found in response to browsing to the*
>
> *second web link from the displayed web page.*

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to

a second link and automatically mapping.)

Regarding **dependent claim 17**, Astiz teaches:

> *The method of claim 16, further comprising automatically updating the*
>
> *diagram to add diagram nodes for each of the any web links found in response to*
>
> *browsing to the second web link from the displayed web page whereby the*
>
> *diagram nodes for each of the any web links found in response to browsing to the*
>
> *second web link from the displayed web page are added to the diagram in*
>
> *positions illustrating a relationship of each of the any web links found in response*
>
> *to browsing to the second web link from the displayed web page to other nodes*
>
> *in the diagram.*

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to

a second link and automatically mapping.)

Regarding **claims 18-24**:

Claims 18-24 incorporate substantially similar subject matter as claimed in claims

1, 2, 7, 8, 15, 16, and 11, respectively, and are rejected along the same rationale.

7.   It is noted that any citations to specific, pages, columns, lines, or figures in the

prior art references and any interpretation of the references should not be considered to

be limiting in any way. A reference is relevant for all it contains and may be relied upon

for all that it would have reasonably suggested to one having ordinary skill in the art.

See, MPEP 2123.

Claims Rejection – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   **Claims 5 and 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Astiz, et al. (U.S. Patent 6,035,330, issued March 7, 2000) [hereinafter "Astiz"].

Regarding **dependent claim 5**, Astiz teaches:

> *The method of claim 1, whereby automatically parsing the web site for any*
>
> *web links subordinate to the web site includes automatically parsing the web site*
>
> *to a specified maximum number of links.*

(See, Astiz, figure 10, and col. 12, lines 15-36, teaching limiting the parsing levels to set

boundary parameters. Astiz does not expressly teach the boundary parameters as

including limiting the automatic parsing to a specified maximum number of links.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to use a set number of links as a limit for automatically parsing a web site for

subordinate web sites for the obvious and beneficial purpose of limiting the scope of the

web search. With web sites linking to web sites linking to web sites, and on and on, there would be an almost endless map of sites. This would tax the hardware limits, time to search, and the bandwidth available to everyone. Therefore, it would be obvious and beneficial to limit the scope of the search by the number of links.)

Regarding **dependent claim 6**, Astiz teaches:

> *The method of claim 1, whereby automatically parsing the web site for any web links subordinate to the web site includes automatically parsing the web site to a specified maximum number of discovery levels.*

(See, Astiz, figure 10, and col. 12, lines 15-36, teaching limiting the parsing levels to set boundary parameters. Astiz does not expressly teach the boundary parameters as including limiting the automatic parsing to a maximum number of discovery levels.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a maximum number of discovery levels as a limit for automatically parsing a web site for subordinate web sites for the obvious and beneficial purpose of limiting the scope of the web search. With web sites linking to web sites linking to web sites, and on and on, there would be an almost endless map of sites. This would tax the hardware limits, time to search, and the bandwidth available to everyone. Therefore, it would be obvious and beneficial to limit the scope of the search by the number of discovery levels.)

9.   It is noted that any citations to specific, pages, columns, lines, or figures in the

prior art references and any interpretation of the references should not be considered to

be limiting in any way. A reference is relevant for all it contains and may be relied upon

for all that it would have reasonably suggested to one having ordinary skill in the art.

See, MPEP 2123.

Conclusion

10.   The following prior art is made of record and not relied upon that is considered

pertinent to applicants' disclosure:

　　　　Gropper, et al. (U.S. Patent 7,000,186 B1).

　　　　Ingram, et al. (U.S. Patent 6,925,496 B1).

　　　　Coats (U.S. Patent 6,282,545 B1).

　　　　Nielsen (U.S. Patent 6,199,071 B1).

　　　　Kraft (U.S. Patent 5,870,767).

　　　　Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael K. Botts whose telephone number is 571-272-

5533. The examiner can normally be reached on Monday through Friday 8:00-4:00

EST.

　　　　If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

MKB/mkb

DOUG HUTTON
PRIMARY EXAMINER
TECH CENTER 2100